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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,376	04/12/2004	Jung-Soo Jung	678-1438	2851
66547	7590	10/17/2007	EXAMINER	
THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553			JACKSON, BLANE J	
		ART UNIT	PAPER NUMBER	
		2618		
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		10/17/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/822,376	JUNG ET AL.
	Examiner	Art Unit
	Blane J. Jackson	2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 April 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-19 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 12 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Hsu et al. (2003/0054807).

Hsu teaches a method for receiving by a mobile station a broadcast service from a base station that transmits in the same time period data on a packet data channel and a packet data control channel corresponding to the packet data channel (paragraph 0043, multicast/ broadcast service applicable to the CDMA 2000 3rd generation specification), comprising the steps of:

Receiving a broadcast service parameter message including parameters for a broadcast service (figures 1 and 9, paragraphs 0047, 0070-0071, base transceiver station broadcasting the BCMCS on a forward packet data channel monitored by mobile stations),

Transmitting desired broadcast service parameters along with a broadcast service request message based on the parameters (figure 9, paragraph 0071, each of the mobile station sends a BCMCS registration),

Receiving a packet data channel assignment message for the desired broadcast service in response to the packet data channel assignment request message (paragraphs 0072 and 0079, in a dedicated mode, the BCMCS content is delivered as a normal F-PDCH packet data where each mobile station has a dedicated mac-id for BCMCS as well as other packet data services), and

Decoding reception data on a packet data control channel corresponding to the assigned packet data channel to acquire control information, receiving packet data on a packet data channel for the broadcast service according to the control information, and processing the received packet data as broadcast service data (figure 9, paragraphs 0065 and 0070-0072, bidirectional (or unidirectional) BCMCS service is effectuated after mobile registration to each of the mobile stations).

As to claim 2 with respect to claim 1, Hsu teaches the packet data channel assignment message includes a broadcast user identifier (ID) used as packet data address information for a desired broadcast service (paragraph 0079, each mobile station has a dedicated mac_id).

As to claim 3 with respect to claim 2, Hsu teaches the broadcast user ID is commonly assigned to a plurality of mobile stations (paragraph 0079, a shared mode where one specific and common mac_id is designated for one BCMCS session to be searched and used by all mobile stations).

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As to claim 4 with respect to claim 1, Hsu teaches the packet data channel request message includes a BCS ID (paragraphs 0051 and 0071, mobile station receives indications of identities of base stations to determine desired MBS communication service).

As to claim 5 with respect to claim 1, Hsu teaches the step of performing an error check on the packet data, and transmitting an acknowledge signal (ACK) if it is determined that there is no error as a result of the error check (paragraphs 0078 and 0079, a bi-directional BCMCS with reverse-link feedback).

As to claim 6 with respect to claim 1, Hsu teaches the step of performing an error check on the packet data, and buffering the packet data after transmitting a non-acknowledge (NAK) signal if it is determined that there is an error as a result of the error check (paragraph 0079, ACK/NAK mechanism in the dedicated mode).

As to claim 7 with respect to claim 1, Hsu teaches the step of discarding reception data on the packet data channel upon failure to decode reception data 10 on the packet data control channel (figure 1, paragraphs 0062-0065).

As to claim 8 with respect to claim 1, Hsu teaches the control information includes retransmission information indicating if the reception data on the packet data

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channel is retransmitted data (paragraph 0062, indication of whether the frame has already been transmitted).

As to claim 9 with respect to claim 8, Hsu teaches the steps of determining if the reception data on the packet data channel is retransmitted data, based on the retransmission information included in the control information and if the reception data on the packet data channel is not retransmitted data, decoding the reception data on the packet data channel in order to extract the packet data (paragraphs 0062-0064, a modified HARQ scheme).

As to claim 10 with respect to claim 9, Hsu teaches determining that the reception data on the packet data channel is retransmitted data, determining if corresponding packet data has been previously successfully received and if corresponding packet data has been previously successfully received, discarding the reception data on the packet data channel (paragraph 0064, discarding a redundant frame).

As to claim 11 with respect to claim 10, Hsu teaches if it is determined that corresponding packet data has not been previously successfully received, acquiring the packet data by decoding the reception data on the packet data channel and combining the acquired packet data with the previously received packet data (paragraphs 0064 and 0065, new fame is buffered and the data frame is decoded).

As to claim 12, Hsu teaches a method for providing a broadcast service to mobile stations by a base station that transmits in the same time period data over a packet data channel and a packet data control channel corresponding to the packet data channel (paragraph 0043, multicast/ broadcast service applicable to the CDMA 2000 3rd generation specification), comprising the steps of:

Transmitting a packet data channel assignment message for a broadcast service, if a packet data channel assignment request message including particular broadcast service information is received after transmitting a broadcast service parameter message including parameters for a broadcast service (figures 1 and 9, paragraphs 0070-0071, each mobile station receives the data contained in the broadcast and transmits a BCMCS registration), and

Transmitting packet data for the requested broadcast service over the assigned packet data channel, and transmitting control information over a packet data control channel corresponding to the packet data channel (paragraphs 0072 and 0079, dedicated mode with bi-directional BCMCS service with reverse link feedback).

As to claim 13 with respect to claim 12, Hsu teaches the packet data channel assignment message includes a broadcast user identifier (ID) used as packet data address information for a desired broadcast service (paragraph 0079, each mobile station has a dedicated mac_id).

As to claim 14 with respect to claim 13, Hsu teaches the broadcast user ID is commonly assigned to a plurality of mobile stations (paragraph 0079, a shared mode where one specific and common mac_id is designated for one BCMCS session to be searched and used by all mobile stations).

As to claim 15 with respect to claim 12, Hsu teaches the step of retransmitting the packet data over the packet data channel if a non-acknowledge signal (NAK) is received from at least one mobile station in response to the transmitted packet data (paragraph 0062, a modified HARQ scheme where data frames are selectively retransmitted to the mobile station).

As to claim 16 with respect to claim 15, Hsu teaches the retransmission step comprises the step of transmitting control information including retransmission information indicating that the packet data is retransmitted data, over the packet data control channel corresponding to the packet data channel (paragraphs 0062-0064, indication of whether the frame has already been transmitted to the mobile station is formed).

As to claim 17 with respect to claim 12, Hsu teaches the step of transmitting a next packet data after discarding the packet data if an acknowledge signal (ACK) is received from all or some of the mobile stations receiving the requested broadcast

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service in response to the transmitted packet data (paragraph 0064, redundant frame is discarded).

As to claim 18 with respect to claim 12, Hsu teaches the step of retransmitting the packet data over the packet data channel, if a non-acknowledge signal (NAK) is received from at least a predetermined number of mobile stations from among all mobile stations receiving the requested broadcast service, in response to the transmitted packet data (paragraphs 0078-0079, H-ARQ ACK/NAK feedback in the dedicated mode).

As to claim 19 with respect to claim 18, Hsu teaches the retransmission step comprises the step of transmitting control information including retransmission information indicating that the packet data is retransmitted data, over the packet data control channel corresponding to the packet data channel (paragraph 0062, frames are selectively retransmitted to the mobile station with an indication of whether the frame has already been transmitted).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J. Jackson whose telephone number is (571) 272-7890. The examiner can normally be reached on Monday through Thursday, 7:30 AM-6:00 PM, EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Brian J. Johnson".